

85th Legislative Session – 2010

Committee: House Health and Human Services

Thursday, February 11, 2010

P - Present
E - Excused
A - Absent

Roll Call

P Blake
P Boomgarden
P Conzet
P Curd
P Iron Cloud III
P Jensen
P Lucas
P Moser
P Nygaard
P Romkema
P Vanderlinde
P Rave, Vice-Chair
P Pitts, Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Representative Pitts.

MOTION: TO APPROVE THE MINUTES OF TUESDAY, FEBRUARY 9, 2010

Moved by: Rave
Second by: Conzet
Action: Prevailed by voice vote.

HB 1133: prohibit minors from using certain wireless communication devices while operating motor vehicles upon the public highways and to provide certain exceptions.

Presented by: Representative Joni Cutler
Proponents: Dick Tieszen, State Farm Insurance
Dave Gerdes, General Motors LLC

Dave Hewett, SD Association of Healthcare Organizations
Drew Duncan, SD Insurance Alliance
Mike Shaw, Property Casualty Insurance Association of America
Deb Fischer Clemens, Avera Health
Larry Nelson, SD Police Chiefs
Jim Carpenter, Department of Public Safety

MOTION: DEFER HB 1133 TO THE 41ST LEGISLATIVE DAY

Moved by: Moser
Second by: Boomgarden
Action: Was not acted on.

MOTION: SUBSTITUTE MOTION DO PASS HB 1133

Moved by: Nygaard
Second by: Blake
Action: Failed by roll call vote. (5-8-0-0)

Voting Yes: Blake, Curd, Iron Cloud III, Nygaard, Vanderlinde

Voting No: Boomgarden, Conzet, Jensen, Lucas, Moser, Romkema, Rave, Pitts

THE MOTION TO DEFER HB 1133 TO THE 41ST LEGISLATIVE DAY

Moved by: Moser
Second by: Boomgarden
Action: PREVAILED BY ROLL CALL VOTE. (9-4-0-0)

Voting Yes: Boomgarden, Conzet, Curd, Jensen, Lucas, Moser, Romkema, Rave, Pitts

Voting No: Blake, Iron Cloud III, Nygaard, Vanderlinde

HB 1231: provide for the monitoring of the prescribing and dispensing of controlled substances.

Presented by: Representative David Lust
Proponents: Nancy Kueter, Self, Rapid City
Jessie Kueter, Self, Rapid City
Dr. Christopher Dietrich, Rapid City
Dean Krogman, SD State Medical Association
David Hewett, SD Association of Healthcare Organizations

Ron Huether, SD Board of Pharmacy
Staci Eggert, SD Sheriff's Association
Brittany Novotny, SD Nurses Association
Clint Perman, Self, Selby
Dana Darger, Self, Rapid City
Bob Riter Jr., SD Pharmacists Association
Terrance Dosch, SD Council of Substance Abuse Directors &
SD Council of Mental Health Centers

MOTION: AMEND HB 1231

1231ja

On page 1, line 12, of the printed bill, delete ", and" and insert ";;".

On page 1, delete lines 13 and 14.

On page 8, delete line 19, and insert "information may be reported by the board to the dispenser's licensing board.".

Moved by: Rave
Second by: Lucas
Action: Prevailed by voice vote.

MOTION: AMEND HB 1231

1231jd

On page 8, after line 22 of the printed bill, insert:

"

Section 20. The board shall promulgate rules, pursuant to chapter 1-26, for the operation of the program. Any rule promulgated shall be designed to assure the fair, equitable, and efficient operation of the program. The rules may address the following:

- (1) Criteria, procedures, and forms for submitting data to the program;
- (2) Standards for information collection;
- (3) Guidelines for reviewing data and making determinations with respect to the referral of patients, prescribers, or dispensers to law enforcement or appropriate regulatory

authorities based upon an open case;

- (4) Safeguards for the release of information to individuals who have access to the information contained in the central repository;
- (5) Guidelines for maintaining the confidentiality of program information and the integrity of the patient's relationship with the patient's health care provider; and
- (6) Policies for the compilation and release of statistics and outcomes for advancing the purposes of the program, including enhancement of the quality of health care delivery in this state."

Moved by: Nygaard
Second by: Rave
Action: Prevailed by voice vote.

MOTION: AMEND HB 1231

1231je

On page 8, after line 22 of the printed bill, insert:

" Section 20. The provisions of this Act are repealed on July 1, 2013, if funding is not available for the program."

Moved by: Blake
Second by: Vanderlinde
Action: Failed by voice vote.

MOTION: DO PASS HB 1231 AS AMENDED

Moved by: Moser
Second by: Rave
Action: Prevailed by roll call vote. (13-0-0-0)

Voting Yes: Blake, Boomgarden, Conzet, Curd, Iron Cloud III, Jensen, Lucas, Moser, Nygaard, Romkema, Vanderlinde, Rave, Pitts

HB 1230: permit certain persons to assist women during pregnancy and childbirth under certain conditions.

Presented by: Representative Thomas Brunner

Proponents: Nancy Dennert, Self, Columbia
Representative Roger Hunt
Chandelle Brink, Self, Box Elder
Emily Wahl, Self, Rapid City
Debbie Pease, SD Safe Childbirth Options INC.
Travis Brink, Self, Box Elder

Opponents: Doneen Hollingsworth, Department of Health (Handout: 1)
Dave Gerdes, SD State Medical Association (Handout: 2)
Dave Hewett, SD Association of Healthcare Organizations (Handout: 3)
Gloria Damgaard, SD Board of Nursing
Brittany Novotny, SD Nurses Association

THE CHAIR DEFERRED HB 1230 UNTIL TUESDAY, FEBRUARY 16, 2010

MOTION: ADJOURN

Moved by: Curd

Second by: Rave

Action: Prevailed by voice vote.

Joshua Klumb
Committee Secretary

Carol A. Pitts, Chair